

The basis of Defendant Board of Probation and Parole's motion to dismiss is that Plaintiff was released on parole on April 20, 2015, and that his release on parole has rendered this case moot. In support of its motion, Defendant has submitted the affidavit of Gayle S. Barbee, the Director of Board Operations for the Tennessee Board of Parole and custodian of the records, who avers that Plaintiff was released on parole supervision on that date and who has attached to her affidavit Plaintiff's Parole Certificate No. 158779 [Doc. 22-1].

The jurisdiction of federal courts is limited to "cases and controversies." U.S. Const. art. III, § 2, cl.1. A case becomes moot "when the issues presented are no longer live or parties lack a legally cognizable interest in the outcome." *Cleveland Branch, N.A.A.C.P. v. City of Parma*, 263 F.3d 513, 530 (6th Cir. 2001) (quoting *County of Los Angeles v. Davis*, 440 U.S. 625, 631 (1979)). The Court agrees that since this lawsuit concerned the proper standards to apply to Plaintiff's parole eligibility determination to avoid an ex post facto violation and since Plaintiff has been released on supervised parole, this case is now moot.

Accordingly, Defendant's motion to dismiss [Doc. 21] will be **GRANTED**, and this action will be **DISMISSED** as moot.

AN APPROPRIATE ORDER WILL ENTER.

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE